

11-307. R-TH - TOWNHOUSE DISTRICTS

A. Purpose and Intent

These districts are designed to provide suitable areas for townhouse residential development where appropriate urban services and facilities are provided or where the extension of such services and facilities will be physically and economically feasible. These districts will be characterized by townhouse attached dwellings on subdivided lots.

These districts also include community facilities, public utilities, and open uses that serve the residents of these districts.

B. Uses and Structures

1. Principal Permitted Uses and Structures

RESIDENTIAL DWELLINGS - limited to -

Townhouse (as defined by this ordinance)

INSTITUTIONAL - limited to -

Day care centers, group day care homes and family day care homes, provided they are run by a church and on the premises of the church.

Parks, playgrounds and playfields

PUBLIC UTILITIES - limited to -

Electric, communication and telephone distribution lines, poles, transformers and splice boxes (but not including electric transmission lines)

Water, storm drainage and sewer lines, and gas distribution lines with incidental appurtenances (but not including major fuel transmission lines)

Private Streets

Rights-of-way to all modes of transportation

Small landscaped, scenically significant open areas, natural reserves

UNDEVELOPED AND VACANT - except for -

Circuses, carnivals and similar transient enterprises

Open water including ponds, lakes and reservoirs, streams and waterways (all man-made)

2. Permitted Accessory Uses and Structures

a. Private garages and parking areas;

b. Private swimming pools, tennis courts and other outdoor recreation facilities exclusively for use of the residents;

c. Home occupations as defined and subject to the provisions of this Ordinance; except beauty shops;

d. Accessory uses or structures customarily incidental to the above permitted uses.

3. Conditional Uses

INSTITUTIONAL - limited to -

Place of worship

School, public or private, grades K-12

Country Clubs

Community centers

Orphanages

All golf courses

Public, parochial and private non-profit museums, art galleries, libraries and observatories

Police and fire stations

Temporary non-profit festivals

PUBLIC UTILITIES - limited to -

Electric or gas substations

Reservoirs and water tanks

Water production, treatment facility

UNDEVELOPED AND VACANT - limited to -

Open water including ponds, lakes and reservoirs, streams and waterways (all man-made).

4. Prohibited Uses

Any use not allowed by Right, by Accessory or by conditional use is prohibited in the R-TH Districts.

C. Bulk Regulations

1. Minimum Required Lot Area

Within the R-TH Districts, the minimum lot area for each single family attached dwelling shall be 2,600 square feet.

2. Minimum Lot Width at the Building Line

For Single-family detached dwellings, the width of a lot at the building line shall be no less than twenty (20) feet.

3. Maximum Lot Coverage

The maximum lot coverage for each single family attached dwelling shall be forty (40) percent of the lot for each dwelling.

4. Minimum Spacing between Townhouse Buildings

The minimum spacing between townhouse buildings (end to end) shall be twenty (20) feet.

5. Maximum Height

The maximum height of a front wall or other portion of a building or other structure at the street level shall be seventy-five (75) feet above the finished grade. However, this limitation shall not apply to these uses spelled out in 11-104 (D), Exception on Height Limitations.

D. Yard Requirements

1. General Provisions

General provisions applicable to residential districts concerning visibility at intersections, permitted obstructions in required yards, obstructions prohibited at street intersections, exceptions to these provisions, and other regulations are contained in Section 11-105 of this Ordinance.

2. Basic Provisions

The basic yard regulations appearing below apply to all zone lots located within R-TH Districts.

a. Front Yards

In all R-TH Districts, front yards shall be a minimum of seventy-five (75) feet. On double frontage lots and corner lots and corner lots, there shall be a front yard on each street.

b. Side Yards

In all R-TH Districts, side yards shall be a minimum of ten (10) feet, except that no side yard is required for townhouse dwellings having adjoining walls.

c. Rear Yards

In all R-TH Districts, rear yards shall be a minimum of twenty-five (25) feet.

E. Site Plan Review for Community Facilities or Townhouses

1. Prior to issuance of a building permit, a Site Plan for the use and development of the entire tract shall be submitted to the Planning Commission. The Site Plan shall conform to the following requirements:

a. Be drawn on a scale of 1" = 100';

b. Include the following:

-Proposed townhouse lots;

-Location of all proposed buildings;

-Location of all existing streets and the location and layout of all proposed public streets, private drives, service streets, alleys, etc;

-All existing and proposed drainage ways;

-Curb cuts, drives and parking areas;

-Building lines enclosing the portion of the tract within which the buildings are to be erected;

-The proposed use of the land and buildings;

- c. Show the building elevations for the front, rear and sides of all buildings and any proposed signs.
- d. Include a vicinity map showing the relationship of the proposed development to Brownsville;
- e. Show the relation of the proposed development to:
 - The street system
 - The surrounding use district, and
 - Surrounding properties.
- f. Bear a certificate by a licensed civil engineer, architect, or surveyor, certifying that the plan as shown is true and correct;
- g. Bear a form for certificate of approval by the Secretary of the Planning Commission
- h. Provide a form for certification by the owner and trustee of the mortgage, if any, that they adopt the plan, and dedicate the streets as shown on the plan and agree to make any requirement improvements of adjacent streets as shown on the plan.

- 2. The Planning Commission, within thirty (30) days shall approve the Site Plan as submitted or reject the Site Plan as submitted. The reasons for rejection of the Site Plan shall be certified to the applicant in writing. The Planning Commission shall have the authority to give conditional approval to a Site Plan, subject to revision being required of the applicant.
- 3. The certification required of the owner and trustee of the mortgage in 11-405 (E)(1)(h) of this ordinance shall serve as the commitment by the owner that the site will be developed as shown on the Site Plan. Upon such certification by the owner, the approved site plan shall be recorded by the owner with the Haywood County Register's Office and shall regulate the development of the subject parcel. If, during the process of construction, the Building Inspector notes variations from the approved Site Plan, he shall promptly notify the owner in writing of these variations and shall direct that the variations be corrected within a specified period. If, after proper notice by the Building Inspector, the owner has not complied with the provisions of the approved Site Plan, the Building Inspector shall have the authority to cite the owner to Municipal Court for violation of this ordinance.
- 4. The Building Inspector shall have the authority to authorize minor revisions to the approved Site Plan during the process of construction, if, in his opinion, the revisions do not substantially alter the nature of the approved Site Plan, with the written concurrence of the Chairman of the Planning Commission.

F. Design Standards for Multi-Family Dwellings

- 1. Purpose
It is the express purpose of these provisions to establish design criteria to regulate proposed development and to guide the Planning Commission in its review of Site Plans.
- 2. Open Space Requirements
Common open space must be suitably improved for its intended use, common open space containing natural features worthy of preservation may be left unimproved. Any buildings, structures and improvements that are permitted in the common open space must be appropriate to the uses that are authorized for the common open space, having regard for its topography and unimproved condition.
- 3. Access
 - a. Every structure shall be on a lot adjacent to a public street or with access to an approved private street.
 - b. Access and circulation shall provide adequately for fire fighting equipment, services deliveries, furniture, moving vans, and refuse collection.
- 4. Privacy
Each dwelling unit shall be provided with reasonable visual and acoustical privacy. Fences, walls, and landscaping shall be provided for the protection and privacy of the occupants, and as a means of screening objectionable views or uses and of reducing noise.

5. Recreation Areas

Adequate recreational facilities for the residents of the project shall be provided in a location which is accessible to the living units and which does not impair the view and privacy of the living units.

Attractive outdoor sitting areas shall be provided, appropriate in size, type and number to the needs of the residents. Active recreation areas shall be provided which are appropriate for the needs of the residents. Well-equipped playgrounds of adequate size shall be provided where it is anticipated that children will occupy the premises.

6. Planting

The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; and additional new plant material shall be added for privacy, shade, beauty of buildings and grounds and to screen out objectionable features. Existing trees, shrubs, evergreens and ground cover shall be retained to the extent that they enhance the project, are effective as a screen planting or are useful in protecting slopes.

G. Subdivision Plat Requirement

A subdivision plat for townhouse development shall be submitted the Planning Commission for review and approval according to the subdivision plat review procedures of the City of Brownsville prior to Site Plan consideration by the Planning Commission. Such subdivision plat shall be separate and apart from an approved Site Plan but shall conform in lot layout, public improvement dedications, lot shape, and lot size to the proposed Site Plan for the development. The proposed Site Plan and subdivision plat for a development may be approved at the same time providing that the above requirements are met.